



2007 deadline, Plaintiff filed the instant Motion to File an Extension.

## II. ARGUMENT

Tetra Tech respectfully submits that the Court should deny the Extension Motion and Plaintiff's Amended Complaint should be dismissed. While Plaintiff's Amended Complaint may be construed liberally in light of her *pro se* status, Plaintiff is not excused from adhering to the Federal Rules of Civil Procedure, the Local Rules of this district or this Court's orders. The United States Supreme Court has made clear that procedural rules will not be interpreted in a way that excuses mistakes by *pro se* litigants. *See McNeil v. United States*, 508 U.S. 106, 113 (1993) ("[W]e have never suggested that procedural rules in ordinary civil litigation should be interpreted so as to excuse mistakes by those who proceed without counsel.").

This Court afforded Plaintiff an extension of three months beyond the time permitted by the Court's rules in which to respond to the Motion to Dismiss. Nearly a month after the expiration of that extension, Plaintiff has still not filed a substantive response. Instead, she has asked for an additional extension without offering a compelling justification for her failure to act.

Nothing in Plaintiff's Motion to File an Extension suggests that she can remedy or overcome the defects in her Amended Complaint. Rather, Plaintiff refers only to matters wholly unrelated to the issues raised in her Amended Complaint and the Motion to Dismiss and seeks additional time to retain counsel. Tetra Tech respectfully submits that an extension of time is not warranted here as Plaintiff has had nearly a year to retain counsel since she initiated these proceedings. Plaintiff has had sufficient time to secure representation and has offered no reasonable grounds to oppose Tetra Tech's motion to


dismiss.

**III. CONCLUSION**

For the foregoing reasons, Tetra Tech respectfully requests that the Court deny Plaintiff's Extension Motion and grant Tetra Tech's Motion to Dismiss Plaintiff's Amended Complaint with prejudice.

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Respectfully submitted,

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Attorneys for Defendant,  
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Dated: August 17, 2007

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a copy of Defendant Tetra Tech, Inc.'s Opposition to Plaintiff's Motion to File an Extension was served upon the following parties via United States, first class mail, postage prepaid, this 17th day of August, 2007:

Jordean Lorah  
114 Walls Ave.  
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A handwritten signature in black ink, appearing to read "David Wilks", is written over a horizontal line.

David Wilks